

CIVIL RIGHTS COMMISSION[161]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 216.5, the Iowa Civil Rights Commission hereby gives Notice of Intended Action to amend Chapter 3, “Complaint Process,” Iowa Administrative Code.

This amendment clarifies the administrative rules by establishing a procedure for e-filing of documents.

Any interested persons may make written comments on the proposed amendment on or before 4:30 p.m. on April 6, 2010. Written comments should be addressed to the Iowa Civil Rights Commission, Grimes State Office Building, Des Moines, Iowa 50319. Comments may also be submitted by fax to (515)242-5840 or by E-mail to ralph.rosenberg@iowa.gov.

A public hearing will be held in the Commission Office, First Floor South, Grimes State Office Building, East 14th and Grand Avenue, Des Moines, Iowa, from 2 to 4 p.m. on April 6, 2010. At this time, persons may present their views either orally or in writing. Persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Commission and advise of specific needs.

The proposed amendment is subject to the Commission’s general waiver provisions found at 161—Chapter 15.

This amendment is intended to implement Iowa Code section 216.15.

The following amendment is proposed.

Amend subrule 3.10(2) as follows:

3.10(2) *Conditions precedent to right to sue.* Upon a request under subrule 3.10(1), the commission shall mail to the complainant a right-to-sue letter where the following conditions have been met.

- a.* The complaint was filed with the commission as provided in rule 161—3.5(216);
- b.* The complaint has been on file with the commission for at least 60 days;
- c.* The right-to-sue request has been submitted in writing with the signature of the complainant or the complainant’s representative, unless otherwise prohibited by state or federal rules or contractual agreements. Electronic signatures are permissible for right-to-sue requests;
- d.* The date of request is listed as well as the corresponding state and federal case numbers.